

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DELBERT M. GREENE et al.

Plaintiffs,

Case No. 3:15-cv-00300-MMD-WGC

SCREENING ORDER

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NEVADA DEPARTMENT OF
CORRECTIONS et al.,

Defendants.

I. DISCUSSION

Forty-three *pro se* prisoners in the custody of the Nevada Department of Corrections (“NDOC”) have submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 in an attempt to open a class action suit. (Dkt. no. 1-1 at 1.) Only one plaintiff, Delbert M. Greene, has filed an application to proceed *in forma pauperis*. (Dkt. no. 1.) The complaint alleges extortion, laundering, embezzlement, and racketeering against Defendants NDOC and James Cox. (Dkt. no. 1-1 at 1-3.)

Pro se litigants have the right to plead and conduct their own cases personally. See 28 U.S.C. § 1654. However, *pro se* litigants have no authority to represent anyone other than themselves. See *Cato v. United States*, 70 F.3d 1103, 1105 n.1 (9th Cir. 1995); *C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987).

The Court dismisses the complaint without prejudice. Based on the structure of the complaint and the filing of the application to proceed *in forma pauperis*, it appears that Plaintiff Greene is attempting to lead this class action lawsuit. However, Plaintiff

1 Greene has no authority to represent these other litigants. As such, the Court dismisses
2 this case without prejudice to give the litigants an opportunity to re-file this case when
3 they have found an attorney who will represent them as a class and initiate the class
4 action lawsuit on their behalf. Alternatively, each *pro se* plaintiff may initiate their own
5 lawsuit by filing an individual application to proceed *in forma pauperis* and individual
6 complaint with the Clerk's Office.

7 **II. CONCLUSION**

8 For the foregoing reasons, it is ordered that the application to proceed *in forma*
9 *pauperis* (dkt. no.1) is denied as moot.

10 It is further ordered that the Clerk of the Court shall file the complaint (dkt. no. 1-
11 1).

12 It is further ordered that the complaint is dismissed in its entirety, without
13 prejudice.

14 It is further ordered that plaintiffs shall not file any further documents in this
15 action. Plaintiffs are directed to re-file this case when they have obtained an attorney to
16 represent them in a class action lawsuit. Alternatively, plaintiffs may file their own
17 lawsuits with the Clerk's Office by filing individual applications to proceed *in forma*
18 *pauperis* and individual complaints.

19 It is further ordered that the Clerk of the Court shall enter judgment accordingly.

20 DATED THIS 9th day of June 2015.



21 MIRANDA M. DU
22 UNITED STATES DISTRICT JUDGE
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